

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) 8:03CR68  
Plaintiff, )  
vs. ) ORDER  
ROBERT B. MARTIN, )  
Defendant. )

Before the court is filing no. 40, the government's motion for reduction of sentence pursuant to Fed. R. Crim. P. 35(b). Upon review,

IT IS ORDERED:

- (1) That counsel for the government shall promptly notify the court when the motion for reduction in sentence pursuant to Fed R. Crim. P. 35(b) is ripe for decision. The motion shall not be decided until counsel for the government certifies that the motion is ripe;
- (2) That counsel for the defendant, if previously appointed pursuant to the Criminal Justice Act (CJA), is reappointed to represent the defendant for purposes of the Rule 35(b) motion. If retained, counsel for the defendant remains as counsel for the defendant until the Rule 35(b) motion is resolved or until given leave to withdraw;
- (3) That the Federal Public Defender shall provide CJA counsel with a new voucher; and
- (4) That the Clerk of the Court shall provide a copy of this order to counsel for the government and counsel for the defendant. The court will provide a copy to the Federal Public Defender.

DATED this 19<sup>th</sup> day of April, 2005.

BY THE COURT:

s/Thomas M. Shanahan  
THOMAS M. SHANAHAN  
United States District Judge